



T. A. BLACKBURN LAW

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August 11, 2023

VIA PACER

Honorable Eric N. Vitaliano
United States District Judge
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: Jennifer Hough v. Onika Tanya Maraj AKA ("Nicki Minaj") and Kenneth Petty AKA ("Zoo"); Case No. 1:21-cv-04568-ENV-JRC

Dear Judge Vitaliano:

We represent Plaintiff Jennifer Hough in the above-referenced matter. We respectfully submit this letter according to Your Honor's rules. Plaintiff would like to file a motion to amend or supplement her complaint. At the onset of this litigation, Plaintiff requested that the Queen's District Attorney's Office turn over all of the records and evidence collected and compiled from the September 16, 1994, rape, which is the subject of this litigation. Due to the age of the requested records, the Queens District Attorney's Office took a long time to retrieve, review, redact, and produce the records from 1994.

After receiving and reviewing the records, Plaintiff would like to amend the pleadings, add a cause of action for attempted rape, and supplement the pleadings with the evidence Plaintiff referenced in her amended complaint.

Leave to Amend:

Courts should freely permit plaintiffs leave to amend when justice so requires. Fed. R. Civ. P. 15(a)(2). [Union Cent. Life Ins. Co. v. Credit Suisse Sec. \(USA\), LLC, 2014 U.S. Dist. LEXIS 173613, *3.](#)

Plaintiff has attached a proposed amended complaint with attachments and the addition of a cause of action for attempted rape battery. See attached **Attachment A**. It is important to note that Defendant Petty pleaded guilty in 1995 to the attempted rape of Plaintiff Hough. See attached the transcript of Defendant Petty's plea hearing. **Attachment B**.



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Leave to supplement Pleadings:

The standard for a motion to supplement is the same as for a motion to amend the pleadings under Fed. R. Civ. P. 15(a). *Klos v. Haskell*, 835 F. Supp. 710, 715 (W.D.N.Y. 1993). [Myers v. Saxton, 2021 U.S. Dist. LEXIS 8128, *17](#). In the case of an application for leave to file a supplemental pleading, permission should be freely granted where such supplementation "will promote the economic and speedy disposition of the controversy between the parties, will not cause undue delay or trial inconvenience, and will not prejudice the rights of any other party." *Bornholdt v. Brady*, 869 F.2d 57, 68 (2d Cir. 1989); *see also Evans v. Syracuse City School Dist.*, 704 F.2d 44, 46 (2d Cir. 1983). [Myers v. Saxton, 2021 U.S. Dist. LEXIS 8128, *17](#).

Plaintiff Hough believes supplementing the pleadings would promote the economical and speedy disposition of the controversy between the parties, and the supplemental filing would not cause undue delay, nor would it prejudice Defendant Petty as he consented to the collection of these documents in 1994 and admitted to attempting to rape Plaintiff Hough as part of a plea deal in 1995. Plaintiff Hough intends to supplement her pleadings with the evidence and records provided to her by the Queens District Attorney's Office. The following exhibits, attached hereto, will be included as part of the supplemental filing:

- Exhibit A: Photo of the bite mark on Plaintiff's face caused because of Defendant Petty,
- Exhibit B: Photo of knife used to rape Plaintiff Hough,
- Exhibit C: Photos of Defendant Petty's Room where he raped (attempted to rape, according to Petty) Plaintiff Hough,
- Exhibit D: Bruises to Plaintiff Hough's side,
- Exhibit E: Images of Plaintiff's Neck where Petty Choked Her,
- Exhibit F: Contact Solution, which Plaintiff Hough threw at Petty,
- Exhibit G: Police Complaint Report filed by Plaintiff Hough,
- Exhibit H: Petty's online booking arrest worksheet,
- Exhibit I: Petty's intake Bureau arrest worksheet,
- Exhibit J: Plaintiff Hough 1994 Rape Kit, Jamaica Hospital Emergency Medicine Record,
- Exhibit K: 1994 Police Laboratory Analysis Report Evidencing Petty's Sperm in Plaintiff's Vagina,
- Exhibit L: Petty's Indictment,
- Exhibit M: "Go off" IG Post,
- Exhibit N: Black's IG Threat, and
- Exhibit O: Defendant Petty's Plea/Sentence Hearing from May 4, 1995.

Respectfully Submitted,

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CC: All attorneys of record via ECF.



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